

United States District Court

EASTERN DISTRICT OF WISCONSIN

JUDGMENT IN A CIVIL CASE

ELIZABETH SPIVEY-JOHNSON,

Plaintiff,

V.

CASE NUMBER: **05-C-80**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES,
DARLENE HOWARD, and
PAMELA HINES,**

Defendants.

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came on for consideration and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that plaintiff's petition to proceed *in forma pauperis* is **DISMISSED**. This action is hereby **DISMISSED** for lack of jurisdiction because plaintiff does not have standing to bring any implied *Bivens v. Six Unknown Named Agents of the Fed. Bureau of Narcotics*, 403 U.S. 388 (1971) cause of action alleging a Fifth Amendment procedural due process violation. This action is hereby **DISMISSED**.

March 3, 2006
Date

SOFRON B. NEDILSKY
Clerk

s/ Linda M. Zik
(By) Deputy Clerk